

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of	)	
	)	
Fixed Wireless Communications Coalition,	)	
Inc. Request for Modified Coordination	)	RM-11778
Procedures in Bands Shared Between the	)	
Fixed Service and the Fixed Satellite Service	)	

**REPLY OF GENERAL COMMUNICATION, INC.**

General Communication, Inc. (“GCI”) hereby submits these reply comments in opposition to the Petition for Rulemaking (the “FWCC Petition”) filed by Fixed Wireless Communications Coalition, Inc. (“FWCC”) in the above-referenced proceeding.<sup>1</sup> GCI supports the record opposition to the FWCC Petition, including the Petitions to Dismiss or Deny the FWCC Petition submitted by the Satellite Industry Association (“SIA”) and SES Americom, Inc. (“SES”) (collectively, the “Petitions to Dismiss”).<sup>2</sup> Accordingly, GCI urges the Federal

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<sup>1</sup> Petition for Rulemaking, Fixed Wireless Communications Coalition, Inc., RM-11778 (filed Oct. 11, 2016). *See also Consumer & Governmental Affairs Bureau Reference Information Center Petitions for Rulemaking Filed*, Public Notice, Report No. 3059 (rel. Dec. 9, 2016).

<sup>2</sup> Petition to Dismiss or Deny of the Satellite Industry Association (filed Jan. 9, 2017) (“SIA Petition”); Petition to Dismiss or Deny of SES Americom, Inc. (filed Jan. 9, 2017) (“SES Petition”). *See also* Letter from Stephen R. Mallory, President, Pacific Satellite Connection, Inc., to Marlene H. Dortch, Secretary, FCC (Jan. 19, 2017); Letter from Robert C. Lamb, CEO/Manager, PSSI Global Services, LLC to Marlene H. Dortch, Secretary, FCC (Jan 12, 2017); Letter from Jennifer A. Manner, Senior Vice President, Regulatory Affairs & Jodi Goldberg, Associate Corporate Counsel, Regulatory Affairs, EchoStar Satellite Operating Corporation & Hughes Network Systems, LLC to Marlene H. Dortch, Secretary, FCC (Jan 9, 2017) (“EchoStar/Hughes Opposition”); Opposition of Intelsat License LLC (filed Jan. 9, 2017) (“Intelsat Opposition”).

Communications Commission (the “Commission” or “FCC”) to dismiss the FWCC Petition as repetitive and frivolous, consistent with those requests.<sup>3</sup>

## DISCUSSION

The FWCC Petition requests that the Commission initiate a proceeding to review proposed modifications to the coordination procedures between fixed satellite services (“FSS”) and fixed services (“FS”) in certain shared bands.<sup>4</sup> Specifically, FWCC wants FSS earth stations to be required to coordinate *specific* combinations of frequency, azimuth, and elevation angle for immediate use, rather than allow such stations to coordinate across an entire frequency band, and over the entire geostationary arc (i.e., the “full band, full arc” coordination) as is currently permitted by the FCC’s rules. The “radical”<sup>5</sup> modifications proposed by FWCC seek to significantly limit the use of this spectrum by FSS operators, notably removing the flexibility necessary to manage earth station operations.

As several commenters recognize,<sup>6</sup> the proposals brought forth in the FWCC Petition are duplicative of a request brought by FWCC in 1999, which was reviewed and dismissed by the Commission without taking any action.<sup>7</sup> As the SIA Petition explains in greater detail, the Commission’s rejection was largely based on its finding that “FWCC failed to demonstrate that

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<sup>3</sup> Petitions which are “repetitive, frivolous, or which plainly do not warrant consideration by the Commission may be denied or dismissed.” 47 C.F.R. Section 1.401(e).

<sup>4</sup> The FWCC Petition focuses on the 3.7-4.2 GHz, 5.925-6.425 GHz, 10.7-11.7 GHz, and 12.7-13.25 GHz bands.

<sup>5</sup> SIA Petition 2.

<sup>6</sup> See, e.g., SIA Petition; SES Petition; EchoStar/Hughes Opposition; Intelsat Opposition.

<sup>7</sup> SIA Petition 3; see also *FWCC Request for Declaratory Ruling on Partial-Band Licensing of Earth Stations in the Fixed-Satellite Service*, Notice of Proposed Rulemaking, 15 FCC Rcd 23127 (2000); *FWCC Request for Declaratory Ruling on Partial-Band Licensing of Earth Stations in the Fixed-Satellite Service*, Second Report and Order, 17 FCC Rcd 2002 (2002) (terminating the proceeding without taking any action) (“Termination Order”).

FS networks face any disadvantage due to full-band, full-arc earth station licensing.”<sup>8</sup> As the record in the current proceeding highlights, the FWCC Petition, once again, offers no showing that the FCC’s coordination rules harms or disadvantages FS networks. GCI participated in the prior proceeding over fifteen years ago, opposing FWCC’s proposals.<sup>9</sup> GCI reiterates that opposition here. The Commission must not accept a request that will result in a windfall for FS petitioners at the expense of critical services offered by FSS operators.

GCI and other FSS earth station operators in Alaska face significant and unique challenges in providing telecommunications services to Alaska, including limited satellite coverage, increasing capacity, and interference issues. In order to provide ubiquitous services to its customers, many of which reside in the most rural and remote areas of the country and rely on satellite technology for the provision of basic telephone service, GCI relies on the flexibility afforded by the FCC’s rules to efficiently shift frequencies and satellites in the event of a transponder or satellite failure or market competition (resulting in capacity cost reductions). For these customers, satellites oftentimes provide the only means of communications with the outside world, including with first responders and emergency services. If the Commission stripped GCI and other operators of the ability to fully license bands and geostationary arcs, then, in the event of a transponder or satellite issue (or other compelling reason to switch spacecraft), it would be unable to switch to a different frequency, azimuth, or elevation angle, and service to end-users would be immediately lost. This is not a viable option for GCI or its customers that rely on these communications for basic, life-sustaining services in extremely rural areas. It was

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<sup>8</sup> SIA Petition 3; *see also* Termination Order, 17 FCC Rcd at 2007, ¶ 12.

<sup>9</sup> *See, e.g.*, Letter from Kathleen S. O’Neill, Counsel to GCI, Drinker Biddle & Reath LLP, to Magalie Roman Salas, Secretary, FCC, IB Docket No. 00-203 (Mar. 1, 2001); Reply Comments of General Communication, Inc., IB Docket No. 00-203 (filed Feb. 10, 2001).

for these reasons that GCI opposed the 1999 FWCC request, and again, opposes the FWCC Petition in this proceeding.

Accordingly, GCI respectfully requests that the Commission dismiss or deny the FWCC Petition, as requested in the Petitions to Deny, because it is repetitive and frivolous pursuant to Section 1.401(e) of the FCC's rules.<sup>10</sup>

Respectfully submitted,

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<sup>10</sup> 47 C.F.R. Section 1.401(e).

## CERTIFICATE OF SERVICE

I hereby certify that on this 24<sup>th</sup> day of January, 2017, I caused a true copy of the foregoing to be sent by first class mail, postage prepaid, upon the following:

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*/s/ Jessica Gyllstrom*  
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